

PIG WOMAN'S TALE BACKED BY EXPERT

Schwartz Says He Saw Prints At Murder Scene

(Continued from Page 7)

Yes, we spray it with an atomizer.
Q. Is that, too, done on the spot?
A. No, usually later.

Affected by Weather

Q. It is of the greatest importance that the fingerprint be developed and inspected at the earliest possible moment? A. Absolutely.
Q. If the print is exposed to weather, to pocketbooks and to cartridges, it will mar the print?
A. Not in its latent condition.

McCarte was framing his questions to show that the calling card had been exposed to such conditions of weather and handling that it would be impossible to find on it a distinct fingerprint.

The bit of pasteboard by which the state places Willie at the scene lay by the bodies of the slain couple for two days.

Q. A card is brought here in a brown paper package. It is put loosely in a box, taken to New



Alexander Simpson



Robert McCarte

Brunswick, where it is handled and examined. On two other occasions it is handled by Mr. Fitzpatrick and others. Would not that tend to deteriorate the print?

Simpson objected to the question, rebuking Schwartz for his attempt to answer McCarte.

Q. A card had remained exposed to the weather from Thursday night to Saturday morning. It was found and examined by a reporter. It was handled and examined by Mr. Totten. It was wrapped in a brown paper parcel with other objects and brought to Somerville. It was examined by a man, not a fingerprint expert. It was re-wrapped and taken to a bank. Would you say the imprints had been impaired?

A. As you have stated it, the impression may have been impaired.

Simpson asked the witness a few questions.

Q. Even with all it may have gone through as described by Mr.



Jane Gibson



Henry Carpenter

McCarte, the impression remains on the card? A. It does.

Q. When you came in, what were you directed to do—fingerprint work? A. No. I was directed to make a survey of Easton Avenue and De Russes Lane.

Hoofprints About Stump

Q. In that survey did you include two cedar trees and a stump. A. Yes.

Q. What were the conditions? A. There were the appearances of an animal having been tied there. There were hoofprints about the stump.

Schwartz's statement scored heavily for the state. This was the spot where Mrs. Gibson claims she tied her mule the murder night.

Schwartz, besides examining call-

ing cards for finger impressions, was employed in the original probe to make a survey, as a civil engineer, of De Russes Lane.

McCarte objected violently to Simpson's questioning of Schwartz along these new lines.

Q. How long were you on this work? A. One day.

Simpson switched back to fingerprints.

Q. You were given a card by Mr. Mason. Will you produce it?

Schwartz produced from his pocket the card McCarte had examined yesterday. Simpson offered the card in evidence.

In Same Condition

Q. When you got the card was it in the same condition as far as fingerprints are concerned as it is now? A. Yes.

The defense yesterday had sought to make capital of the fact that Schwartz had several calling cards of the dead clergyman, retaining this particular one in addition to the one said to bear Willie's fingerprints.

Casts Slur on Lawyer

Q. Who is this Mr. Phillips, the lawyer, that McCarte talked about yesterday? A. I would hate to tell you what I think he is.

Q. Did you, as McCarte said, tell Phillips there were no fingerprints on the card? A. No, I told him there were.

In cross-examination yesterday McCarte had asked the fingerprint man if he had not told Phillips he desired to be retained by the defense, as there were certain things about the alleged Stevens print which weakened it as state evidence.

Q. (By Simpson.) Did you ever tell Phillips you would like to be retained by the defense, as Mr. McCarte says?
A. No.

Q. McCarte asked you about the time when fingerprints must be developed. How soon must a latent print be developed? What is the longest time you know of? A. Nine months.

Willie Shows Emotion

Q. You testified as an expert where a man was electrocuted because his fingerprints were found on an automobile several days after a murder?

Willie Stevens nearly fell out of his chair. Mrs. Hall clutched his sleeve.

McCarte objected loudly. He asked Schwartz:

"Why did you state yesterday that you went to the investigation four years ago as a civil engineer?"

A. I went there to make a survey, I said. I did not intend to

say nor did I qualify as a civil engineer.

The defense was seeking to discredit one of the state's star witnesses by showing he had entered the case four years ago as an engineer and not as a fingerprint expert.

Faurot Recalled

Joseph A. Faurot, New York fingerprint expert, was the next



Anna Lee



Timothy Pfeiffer

witness recalled to the stand by the defense for cross-examination. Simpson interposed:

"Mr. McCarte asked you if you had made a map. Why didn't you make a map?"

A. I was ordered to cease operations by Police Commissioner Brennan of Newark.

Q. Who established the work of fingerprinting in this country. A. I think I was the first one, in 1900.

Q. You have been constantly engaged in fingerprint work for thirty years? A. Yes, I think so.

New York Duties

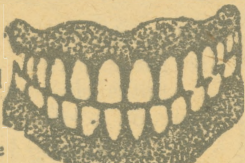
McCarte then took the witness through a long technical description of the science of fingerprinting.

Q. When were you appointed deputy police commissioner? A.

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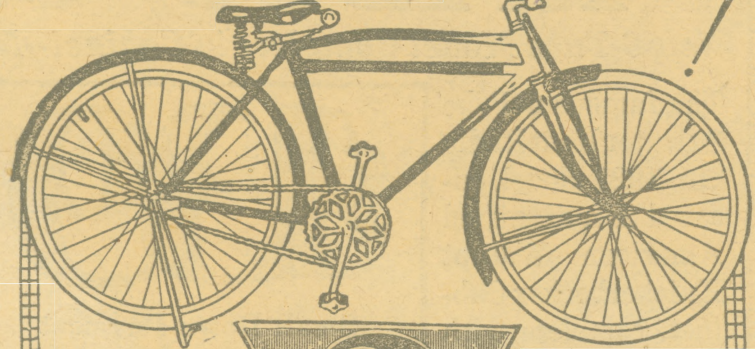
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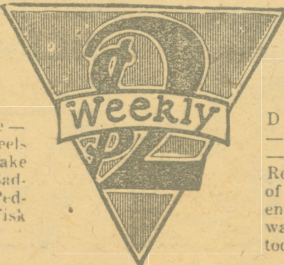
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April 7, 1920. I served until November 1 this year.

Q. What were your duties? A. Numerous duties. They would fill a book. Whatever the commissioner assigned me to became my duty.

Q. What fingerprint work did you do while you were a deputy? A. I convicted a man of attempted murder in Rochester, through his fingerprints.

Q. When you were inspector in charge of the detective bureau, who was in charge of the criminal identification bureau? A. I was, while various nominal heads were in charge.

Attacks Reputation

The defense indicated plainly that it sought to minimize Faurot's reputation as a fingerprint man.

"We will show that Mr. Faurot, for sixteen of his twenty years on

the police force," McCarte told the court, "had other men actually in charge of the identification bureau."

Faurot laughed when McCarte made known his plan. He declined to belittle his former aids when McCarte asked about their ability.

Willie's Arch

Q. In your direct testimony you stated there were only four types of fingerprints? Yes, four basic types.

Q. How many of the arch type are in New York? A. About 30 per cent. of the total.

According to previous testimony of Faurot and the other experts, Willie Stevens's fingerprint is of the arch type.

Q. How can you tell differences between arches. A. There are sev-

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